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NEW DELHI, TUESDAY, JULY 7, 1953

ELECTION COMMISSION, INDIA

NOTIFICATION

New Delhi, the 4th July 1953

S.R.O. 1343.—Whereas the election of Shri Prem Singh, as a member of the Legislative Assembly of the State of PEPSU, from the Rajpura constituency of that Assembly (now dissolved), has been called in question by an Election Petition duly presented under Part VI of the Representation of the People Act, 1951 (XLIII of 1951), by Shri Jagir Singh, son of S. Raghbir Singh, Village Manduli, P.O. Rajpura, Tehsil Rajpura;

And whereas, the Election Tribunal appointed by the Election Commission, in pursuance of the provisions of Section 86 of the said Act, for the trial of the said Election Petition has, in pursuance of the provisions contained in section 103 of the said Act, sent a copy of its Order to the Commission;

Now, therefore, in pursuance of the provisions of Section 106 of the said Act, the Election Commission hereby publishes the said Order of the Tribunal.

BEFORE THE ELECTION TRIBUNAL, KAPURTHALA AT PATIALA

V. B. Sarwate, Chairman.

S. B. Kartar Singh, Member.

Jia Ram Saxena, Member.

ELECTION PETITION No. 213 OF 1952

Jagir Singh, son of S. Raghbir Singh, village Manduli, P.O. Rajpura, Teh. Rajpura—*Petitioner.*

Versus

1. S. Prem Singh, C/o Principal Teja Singh, Mohindra College, Patiala.
2. S. Darshan Singh, village Alipur Arian, P.O. Patiala, District Patiala.
3. S. Garja Singh, village Salempur, P.O. Shambhu, Teh. Rajpura.
4. B. Puran Chand, Advocate, Patiala.
5. B. Ram Sarup, Advocate, Patiala.
6. Mr. Sitara Lal, Pleader, Rajpura; and
7. Mr. Walaiti Ram, son of Moola Ram, Mohinder Ganj, Rajpura—*Respondents.*

ORDER DELIVERED ON 26-6-1953

This election petition was presented by the petitioner, **S. Jagir Singh**, calling in question the election of respondent No. 1, **S. Prem Singh** from the Rajpura constituency of the PEPSU Legislative Assembly. The hearing of the petition proceeded

before the Tribunal at Kapurthala till the settlement of issues after which the petition was ordered to be heard before this Tribunal at Patiala.

It was fixed for hearing first on 25th May 1953, and again adjourned to 26th June 1953. On both these dates it was found that the petitioner remained absent. At Kapurthala a counsel used to appear for him but even that counsel did not appear here at Patiala. Notices about these two hearings at Patiala were given to the petitioner and his acknowledgment has been received. We are thus, satisfied that the petitioner is absenting himself deliberately and has no intention to proceed with the petition. We accordingly dismiss this petition for non-appearance of the petitioner and for want of prosecution and order the petitioner to pay the respondent No. 1's costs which we assess at Rs. 200.

(Sd.) V. B. SARWATE, *Chairman.*

(Sd.) JIA RAM SAXENA, *Member.*

(Sd.) KARTAR SINGH, *Member.*

The 26th June 1953

[No. 10/213/52-Elec.III/10860.]

By order,

P. R. KRISHNAMURTHY, Asstt. Secy